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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
MANUEL RAFAEL,  
  
Defendant.

No. CR 05-0352-DLJ (WDB)  
STIPULATION AND  
ORDER TO PERMIT DEFENDANT  
TO EXCEED CURFEW ON TWO  
EVENINGS

Defendant Manuel Rafael is currently under pretrial supervision in the Northern District of California. As a condition of his release, Mr. Rafael has been subject to a curfew that requires him to be home by 10:00 p.m. each night. On December 18, Mr. Rafael's family plans to attend a Christmas Dance at their local Portuguese center (the Flor Du Oakley Hall), sponsored by their church. Mr. Rafael's grandparents, parents, sister, and his three young daughters will all be in attendance, and Mr. Rafael would like to attend with them. Similarly, on New Year's Eve, Mr. Rafael's entire family plans to attend an event at the Portuguese center, and he has requested permission to attend with them.

The Pretrial Services Agency has been contacted and has no objection to modifying Mr. Rafael's curfew on these two evenings to permit him to stay out at the dance with his family until

1 12:00 midnight on December 18, and to stay out at the event on New Year' s Eve with his family  
2 until 1:00 a.m. Therefore, the parties hereby stipulate and agree that Mr. Rafael' s terms and  
3 conditions of pretrial release should be modified to permit him to exceed his curfew on both of  
4 these occasions as stated above.

5  
6 SO STIPULATED.

7 Dated: December 16, 2005 /S/

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MERRY JEAN CHAN  
Assistant United States Attorney

9  
10 SO STIPULATED.

11 Dated: December 16, 2005 /S/

12 \_\_\_\_\_  
HILARY A. FOX  
Attorney for Defendant RAFAEL

13 I hereby attest that I have on file all holograph signatures for any signatures indicated by a  
14 "conformed" signature (/S/) within this e-filed document.

15 ORDER

16 Good cause appearing therefore, and pursuant to the stipulation of the parties, it is the  
17 ORDER of this Court that defendant Manuel Rafael, who is currently under pre-trial supervision  
18 by the Pretrial Services Agency and subject to a curfew, be permitted to exceed his curfew on  
19 December 18, 2005, in order to attend a holiday celebration with his family at the Flor Du Oakley  
20 Hall until 12:00 midnight, and also on New Year' s Even, in order to attend a holiday celebration  
21 with his family at the same location until 1:00 a.m.

22 IT IS SO ORDERED.

23  
24 Dated: December 16, 2005

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WAYNE D. BRAZIL  
United States Magistrate Judge

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STIP RE: CURFEW